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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOY ANN JULIAN, as an individual and on
 behalf of all others similarly situated,

Plaintiff,

vs.

WALGREEN CO., an Illinois corporation; and
 DOES 1 through 50, inclusive,

Defendant.

Case No. 3:20-cv-09446-VC

~~[PROPOSED]~~ **ORDER GRANTING IN
 PART PLAINTIFF'S MOTION FOR
 ATTORNEYS' FEES, COSTS, AND
 CLASS REPRESENTATIVE SERVICE
 PAYMENT AS MODIFIED**

Date: March 10, 2022
 Time: 10:00 a.m.
 Courtroom: 4
 Judge: Honorable Vince Chhabria

Date Action Filed: December 30, 2020
 Trial Date: Not scheduled

The Court, having read the papers filed with regard to Plaintiff's motion for final approval of a class action settlement and Plaintiff's separate motion for award of attorneys' fees, costs, and class representative service payment, and after hearing argument regarding the motions on March 10, 2022, hereby FINDS AND ORDERS as follows:

1. The Court has jurisdiction over the subject matter of this litigation and over all parties to this Action, including the members of the Settlement Class.

2. The hourly rates claimed by Class Counsel are reasonable and appropriate and consistent with the rates charged in the Northern District of California for attorneys with similar qualifications, skills, and experience. The hours expended on the litigation also are reasonable. Given the amount of work required in this case, the Court finds no reason to depart from the Ninth Circuit's "benchmark" of twenty-five percent of the recovery. *See Powers v. Eichen*, 229 F.3d 1249, 1256 (9th Cir. 2000). Accordingly, the Court approves an award of attorneys' fees in the amount of \$68,750.00 and costs in the amount of \$7,697.30. This Court orders that 10% of the attorneys' fees, or \$6,875.00, be held by the Settlement Administrator until after the Post-Distribution Accounting has been filed. This 10% hold-back is equitable in this case as Plaintiff's counsel's lodestar far exceeds the attorneys' fees awarded. The remaining \$61,875.00 of attorneys' fees and \$7,697.30 in costs shall be released within the time frames set out in the Settlement Agreement to be distributed by the Settlement Administrator among Class Counsel as necessary.

3. The request for a class representative service payment to Plaintiff Joy Ann Julian is reasonable given the risks Plaintiff took and the amount of time Plaintiff spent in conjunction with prosecuting this case. The requested amount is also within the range of such awards approved in similar cases. Accordingly, the Court approves the request for a class representative service payment in the amount of \$5,000.00 to be paid within the time frames set out in the Settlement Agreement care of Diversity Law Group, P.C.

IT IS SO ORDERED.

Dated: March 21, 2022

HON. VINCE

